

## REMARKS

### Allowable Subject Matter

Applicants gratefully acknowledge the Examiner's indication that claims 13 and 15-20 recite allowable subject matter. Claims 13 and 15-20 are amended above to be in independent form.

### Amendments

As mentioned above, claims 13 and 15-20 are amended to be in independent form. Claim 1 is amended to recite that R<sup>1</sup> is selected from formulas (3)-1 to (3)-9. In addition, claims 7-22 presented in the amendments of May 13, 2003, have been renumbered as claims 8-23. See the discussion at the top of page 2 of the Office Action.

As a result to the amendments to claim 1, claims 8 and 9 are cancelled and claim 11 is amended to delete the superfluous definition of group R<sup>1</sup>. Moreover, claim 21 is amended to use language in accordance with conventional U.S. practice.

New claim 24 corresponds to the prior version of claim 6 rewritten in independent form. New claims 25-33 are directed to further aspects of Applicants' claimed invention and are supported throughout the disclosure. See, for example, the original claims and the disclosure of pages 6-7.

### Prior Art Rejections

Fryd et al. (US '686) issued from a patent application filed November 16, 2000, i.e., after Applicants' priority date. Thus, by itself, this disclosure does **not** constitute prior art with respect to Applicants' invention. It is noted that Fryd et al. claimed benefit of a provisional application filed November 17, 1999. However, the disclosure of this provisional application has not been made of record. Moreover, the Office Action does not indicate what portions of the disclosure of US '686 get the benefit of the priority of the November 17, 1999 provisional application.

As noted above, new claim 24 corresponds to the prior version of claim 6. In the Office Action, claim 6 was rejected only in view of US '686. However, as noted above, the Office Action fails to set forth what portions, if any, of the disclosure of US '686 are, in fact, prior art with respect to Applicants' invention.

The Office Action specifically refers to Example 14 of US '686. This Example refers to a solution containing the copolymer identified as "P(AN/NB-F-OMOM/MAA/tBMA). The monomer units of this copolymer are acrylonitrile (AN), methoxymethylnorbornylenehexafluoroalcohol ether adduct (NB-F-OMOM), methacrylic acid (MAA), and tertiary-butyl methacrylate (tBMA). See also Example 12. As noted in the Office Action, the search on the monomer MB-F-OMOM is illustrated in column 15. None of these monomer units in the copolymer of Example 14 of US '686 have a recurring unit in accordance with formula (1) recited in Applicants' claim 1. See also the copolymers of Examples 10, 11, and 13.

Trefonas et al. (US '501) is relied on in the Office Action for its disclosure of a base as an optional additive for the resist disclosed therein. Specifically, reference is made to this disclosure at column 12, lines 18-21. However, US '501 provides no suggestion or motivation which would lead one of ordinary skill in the art to modify the polymers described in US '686 in such a manner as to arrive at an embodiment in accordance with Applicants' claimed invention.

Fedynyshyn (US '712) is cited in the Office Action with regards to its disclosures in Examples 2, 5, and 9. The polymer in Example 2 exhibits cyclopentylene groups which are substituted by  $-\text{C}(\text{CF}_3)_2\text{-OH}$ . Contrary to the assertion in the rejection, this polymer does not exhibit structures in accordance with formulas (2)-2 and (3)-1, recited in Applicants' claim. It is noted that OH is neither an ether bond nor an ester bond. The polymers in Examples 5 and 9 of US '712 also fail to disclose monomer units in accordance with formulas (2)-1 to (2)-9 and formulas (3)-1 to (3)-9.

In view of the above remarks it is respectfully submitted that US '686, US '501 and/or US '712 taken alone or in combination, fail to anticipate or render obvious Applicants' claimed invention. Withdrawal of the prior art rejections is respectfully requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



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**Filed: November 18, 2003**